

April 14, 2021

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

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|---------------------------|-------------------------|
| STACEY KIBODEAUX aka | Case No.: 3:20-cv-00008 |
| ILLUSION, HAILEY CHAPMAN | |
| aka DAISY, JEAN | JURY TRIAL DEMANDED |
| HOFFMEISTER aka JOHNE and | |
| ROXANNE MURILLO aka | \$ |
| UNIQUE/ROXANNE, | \$ |
| individuals, | \$ |
| Plaintiff, | \$ |
| vs. | \$ |
| | \$ |
| A&D INTERESTS, INC. D/B/A | \$ |
| HEARTBREAKERS GENTLEMAN'S | \$ |
| CLUB, MIKE A. ARMSTRONG, | \$ |
| PEGGY A. ARMSTRONG AND | \$ |
| WHITEY DOE, INDIVIDUALS, | \$ |
| Defendants. | \$ |
| | \$ |

ORAL DEPOSITION OF

CARL ARCENEUX

April 14, 2021

ORAL DEPOSITION OF CARL ARCENEUX, produced as a witness at the instance of the Plaintiffs, and duly sworn, was taken in the above-styled and -numbered cause on the 14th day of April, 2021, from 10:03 a.m. to 11:38 a.m., before Karen Aralhy Gonzalez, Commissioned Notary, in and for the State of Texas, reported by machine shorthand, remotely from Dallas County, Texas, pursuant to the Texas Rules of Civil Procedure, the Texas Supreme Court Emergency Order Regarding the Covid-19 State of Disaster and the provisions stated on the record or attached hereto.

Carl Arceneaux
April 14, 2021

EXHIBIT F

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| <p style="text-align: right;">Page 2</p> <p style="text-align: center;">A P P E A R A N C E S</p> <p>1</p> <p>2</p> <p>3 FOR THE DEFENDANTS:</p> <p>4 Mr. William X. King (Via Zoom)</p> <p>5 WALLACE AND ALLEN, LLP,</p> <p>6 440 Louisiana St.,</p> <p>7 Suite 1500,</p> <p>8 Houston, TX 77002</p> <p>9 Phone: (713) 227-1744</p> <p>10 Fax: (713) 227-0104</p> <p>11 E-mail: Wking@wallaceallen.com</p> <p>12</p> <p>13 FOR PLAINTIFFS:</p> <p>14 Ms. Leigh Montgomery (Via Zoom)</p> <p>15 ELLZEY AND ASSOCIATES, PLLC</p> <p>16 1105 Milford Street</p> <p>17 Houston, Texas 77066</p> <p>18 Phone: (713) 554-2377</p> <p>19 Fax: (888) 276-3455</p> <p>20 E-mail: Leigh@ellzeylaw.com</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">Page 4</p> <p>1 REPORTED REMOTELY FROM DALLAS COUNTY, TEXAS</p> <p>2 P R O C E E D I N G S</p> <p>3</p> <p>4 COURT REPORTER: We are on the record. It</p> <p>5 is 10:03 a.m. April 14th, 2021.</p> <p>6 The attorneys and witness participating</p> <p>7 acknowledge that I am not physically present in the</p> <p>8 examination room and that I will be reporting this</p> <p>9 remotely. They further acknowledge that in lieu of an</p> <p>10 oath administered in person, I will administer the oath</p> <p>11 remotely. This arrangement is pursuant to the Supreme</p> <p>12 Court emergency order regarding the COVID-19 state of</p> <p>13 disaster. The parties and their counsel consent to this</p> <p>14 arrangement and waive any objections to this manner of</p> <p>15 reporting.</p> <p>16 At this time, would you indicate your agreement</p> <p>17 on the record, please.</p> <p>18 MS. MONTGOMERY: I agree. Leigh Montgomery</p> <p>19 for the plaintiffs.</p> <p>20 MR. KING: Will King for the defendant. I</p> <p>21 agree.</p> <p>22 COURT REPORTER: Thank you.</p> <p>23 Now, Mr. Arceneaux, you're muted.</p> <p>24 (Witness lost his audio, side discussion.)</p> <p>25 WITNESS: Okay. Are we good?</p> |
| <p style="text-align: right;">Page 3</p> <p style="text-align: center;">I N D E X</p> <p>1</p> <p>2</p> <p>3 Appearances 2</p> <p>4 SWORN STATEMENT OF CARL ARCENEUX</p> <p>5 Examination by Ms. Montgomery 5</p> <p>6 Examination by Mr. King 72</p> <p>7 Changes and Signature. 75</p> <p>8 Reporter's Certificate 77</p> <p>9</p> <p>10</p> <p>11 E X H I B I T S</p> <p>12</p> <p>13 1 Heartbreakers 134 through 136. 18</p> <p>14 2 Heartbreakers 137 through 148. 57</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">Page 5</p> <p>1 COURT REPORTER: Yes.</p> <p>2 WITNESS: Okay, great. Sorry about that you</p> <p>3 guys.</p> <p>4 MS. MONTGOMERY: It's okay.</p> <p>5 (Witness presented government-issued</p> <p>6 identification prior to deposition and</p> <p>7 identity verified.)</p> <p>8 COURT REPORTER: Now I'm going to swear you</p> <p>9 in. So if you can please raise your right hand.</p> <p>10 THE WITNESS: Okay.</p> <p>11 COURT REPORTER: Do you solemnly swear or</p> <p>12 affirm the testimony you're about to give will be the</p> <p>13 truth, the whole truth, and nothing but the truth?</p> <p>14 THE WITNESS: I do.</p> <p>15 COURT REPORTER: Okay.</p> <p>16 I am ready when all parties are ready.</p> <p>17 CARL ARCENEUX,</p> <p>18 having been first duly sworn, testified as follows:</p> <p>19 EXAMINATION</p> <p>20 BY MS. MONTGOMERY:</p> <p>21 Q. Can you please state your full name for the</p> <p>22 record, sir?</p> <p>23 A. Carl Landon Arceneaux.</p> <p>24 Q. And do you go by any nicknames?</p> <p>25 A. No. Just Carl.</p> |

April 14, 2021

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| <p style="text-align: right;">Page 6</p> <p>1 Q. Carl, have you ever provided deposition</p> <p>2 testimony?</p> <p>3 A. I've done, like, a mediation-type deposition</p> <p>4 before but that's about it.</p> <p>5 Q. Okay. And when was -- when did that happen?</p> <p>6 A. I'm not sure the exact date, probably about five</p> <p>7 or six years ago, maybe, maybe longer. I'm not really</p> <p>8 sure of the exact date.</p> <p>9 Q. No problem. Let me ask this, have you ever</p> <p>10 testified in court before?</p> <p>11 A. Yes.</p> <p>12 Q. When was that?</p> <p>13 A. The same time I did the mediation thing. It was,</p> <p>14 like I say, about five or six years ago, perhaps. I'd</p> <p>15 have to look it up. I'm not really sure.</p> <p>16 Q. When you testified in court, was it on behalf of</p> <p>17 Heartbreakers?</p> <p>18 A. Yes.</p> <p>19 Q. Do you remember what the name of the case was?</p> <p>20 A. It was -- I guess -- I don't remember the name, I</p> <p>21 just know it was over an arm wrestling incident.</p> <p>22 Q. I'm sorry. Say that again.</p> <p>23 A. It was over an arm wrestling incident. I don't</p> <p>24 what the name of the case was but --</p> <p>25 Q. So can you, kind of, just explain, in general,</p> | <p style="text-align: right;">Page 8</p> <p>1 may be used or read in front of a judge or jury, in this</p> <p>2 case. Do you understand that?</p> <p>3 A. I do.</p> <p>4 Q. So it's important that we do not talk over each</p> <p>5 other, which is something that happens frequently in</p> <p>6 depositions. So what I promise is, I will let you</p> <p>7 finish answering your question -- answer and I'm going</p> <p>8 to ask that you let me fully finish asking my question</p> <p>9 before you start speaking, okay?</p> <p>10 Second part is, I'm going to ask that you give a</p> <p>11 verbal response as opposed to nodding or shaking your</p> <p>12 head.</p> <p>13 A. Oh, okay.</p> <p>14 Q. And the reason for that is our court reporter</p> <p>15 can't -- shaking head is the way it reads on a</p> <p>16 deposition transcript later, which we don't know if you</p> <p>17 were shaking this way or shaking this way. So you have</p> <p>18 to say yes or no. So don't --</p> <p>19 A. Yes, I understand.</p> <p>20 Q. -- don't think I'm being rude if I tell you --</p> <p>21 ask you, is that a yes, is that a no. People commonly</p> <p>22 will slip back into head-shaking mode and I have to just</p> <p>23 prompt you so that our court reporter gets it down,</p> <p>24 okay?</p> <p>25 A. Okay.</p> |
| <p style="text-align: right;">Page 7</p> <p>1 what happened?</p> <p>2 A. Me and another gentleman arm wrestled and then he</p> <p>3 sued us, basically. And then he lost and that was it.</p> <p>4 Q. Was he -- was the other gentlemen that sued an</p> <p>5 employee of Heartbreaker?</p> <p>6 A. Yeah. He was a -- we were both bartenders.</p> <p>7 Q. Okay. And was he injured in the arm wrestling</p> <p>8 contest?</p> <p>9 A. His arm broke, yes.</p> <p>10 Q. Okay. Now, were you -- in that case, were you,</p> <p>11 sir, sued personally or was it just the club?</p> <p>12 A. Both of us.</p> <p>13 Q. And you actually had to go in front of a -- in</p> <p>14 front of the judge and testify there?</p> <p>15 A. Yes.</p> <p>16 Q. Do you know where it was?</p> <p>17 A. It was a court in Galveston.</p> <p>18 Q. Do you remember if it was a man or a women?</p> <p>19 A. It was a guy. Or a man. Sorry.</p> <p>20 Q. It's fine. All right. Well, I do -- I'm still</p> <p>21 going to go through some rules, even though you have</p> <p>22 provided testimony before. This -- today, our</p> <p>23 deposition, is just as if you were testifying in court</p> <p>24 like you did previously in Galveston. Anything you say</p> <p>25 today will be typed down by our court reporter and later</p> | <p style="text-align: right;">Page 9</p> <p>1 Q. Also, if there's a question I ask and you don't</p> <p>2 really understand the question, I want you to tell me</p> <p>3 you don't understand the question as opposed to trying</p> <p>4 to answer it. It's going to be a lot easier and</p> <p>5 cleaner, down the road, if you only answer questions</p> <p>6 that you understood, okay?</p> <p>7 A. Okay.</p> <p>8 Q. Mr. Arceneaux, what's your educational</p> <p>9 background?</p> <p>10 A. I graduated high school.</p> <p>11 Q. And where did you graduate school from?</p> <p>12 A. Clear Brook High School.</p> <p>13 Q. Is that in Houston?</p> <p>14 A. That's in Friendswood.</p> <p>15 Q. Were you born and raised in the area?</p> <p>16 A. I was born in Houston and back and forth from</p> <p>17 Louisiana and that area.</p> <p>18 Q. You currently work for Heartbreakers?</p> <p>19 A. Yes.</p> <p>20 Q. How long have you worked for them?</p> <p>21 A. Over 13 years.</p> <p>22 Q. So about 2006, 2007?</p> <p>23 A. 2007.</p> <p>24 Q. Prior to working for Heartbreakers, did you work</p> <p>25 for any other adult entertainment club?</p> |

April 14, 2021

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| <p style="text-align: right;">Page 10</p> <p>1 A. I used to work at Rick's, which changed to Sugars 2 and that was -- that was pretty much it. 3 Q. Where is Rick's located? 4 A. It was on Dixie Farm Road but it's closed down 5 now. 6 Q. How long did you work for Rick's? 7 A. Wow. Three or four years, I believe. 8 Q. So would that be from 2003 to 2007? 9 A. No. About -- it was, I guess, around 2001 to 10 '04, I believe. 11 Q. What did you do between working for Rick's and 12 working for Heartbreakers? 13 A. I worked at Bikini Beach, another bar in NASA -- 14 up in NASA. 15 Q. Does Bikini Beach provide adult entertainment? 16 A. No. It's just a regular bar. 17 Q. When you work -- when you were working for 18 Rick's, were you working as a bartender? 19 A. I was a barback and then I became a bartender 20 later on. 21 Q. But you became a bartender while you were working 22 for Rick's? 23 A. Yes. 24 Q. When you went to Bikini Beach, were you working 25 as a bartender?</p> | <p style="text-align: right;">Page 12</p> <p>1 Q. How long did you work for UPS? 2 A. From, I guess, '97 until about '99, 2000, 3 something like that; about three years. 4 Q. When did you graduate high school? 5 A. 1996. 6 Q. Did you have any military service? 7 A. No. 8 Q. How did you come to work for Heartbreakers? 9 A. I heard -- a friend of mine said they were 10 hiring. 11 Q. Was that friend working at the club at the time? 12 A. Yes. 13 Q. Who is that? 14 A. Daniel Rodriguez. 15 Q. What did Daniel do for the club? 16 A. Bartend. 17 Q. And who hired you to work at Heartbreakers? 18 A. A manager named Doug. 19 Q. Is Doug still there? 20 A. No, he's retired. 21 Q. Do you know who owns Heartbreakers? 22 A. Peggy and Mike Armstrong, I was told. 23 Q. Have you ever met Peggy or Mike? 24 A. Yes, I have. 25 Q. Does Peggy have an office at the club?</p> |
| <p style="text-align: right;">Page 11</p> <p>1 A. Yes. 2 Q. When you first started at Heartbreakers, in 2007, 3 were you working as a heart- -- bartender? 4 A. Yes. 5 Q. How long were you working as a bartender at 6 Heartbreakers? 7 A. I still am. 8 Q. Do you also work as a floor manager? 9 A. That's correct, yes. 10 Q. When did you start working as a floor manager for 11 Heartbreakers? 12 A. I don't -- I don't really know. It hasn't been 13 that long, maybe about two and a half, three years. 14 Q. And you still perform bartender duties as well? 15 A. Yes. 16 Q. Do any of the other floor managers at 17 Heartbreakers also perform bartender duties. 18 A. One other one. 19 Q. Who is that? 20 A. Jeremy. 21 Q. Prior to working as a barback at Rick's, did you 22 hold any other positions? Any other jobs? 23 A. Yes. I used to work at UPS, the air department 24 over there at Ellington Field, as a ramp agent, then I 25 became a supervisor before they closed down.</p> | <p style="text-align: right;">Page 13</p> <p>1 A. Yes. 2 Q. Does Mike have a separate office at the club? 3 A. Yes. 4 Q. On any given week, what would be your normal work 5 schedule? 6 A. I go in -- I bartend on Thursday, Friday and 7 Saturday from 4:00 -- from 8 -- 8:30 until close. And 8 then I'm a manager on Mondays from 4:00 to close. 9 Q. And what are the hours of the club? 10 A. 4:00 until 2:00. 11 Q. 4:00 a.m. to 2:00 a.m.? 12 A. 4:00 p.m. to 2:00 a.m. 13 Q. Okay. And has that been the hours since you've 14 worked there? 15 A. This is after COVID. 16 Q. Okay. 17 A. Post-COVID hours. Sorry. 18 Q. Okay. Pre-COVID, pre-March of 2020, what were 19 the hours of the club? 20 A. 12:00 until 2:00 a.m. 21 Q. And who -- who came up with those hours? 22 A. I don't know. 23 Q. What is something that the club management set? 24 A. I don't know. Those were the hours when I was -- 25 when I got hired.</p> |

April 14, 2021

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| <p style="text-align: right;">Page 14</p> <p>1 Q. Is it something that an entertainer or dancer</p> <p>2 sets?</p> <p>3 A. I don't know. Those were just the hours when I</p> <p>4 started working there.</p> <p>5 Q. And they haven't changed, in 13 years, other than</p> <p>6 the COVID hours?</p> <p>7 A. Correct.</p> <p>8 Q. Are you paid differently for your work as a</p> <p>9 bartender versus your work as a manager?</p> <p>10 A. Yes.</p> <p>11 Q. How is it different?</p> <p>12 A. I get paid by the hour as a bartender and I --</p> <p>13 it's what you call a salary as a manager.</p> <p>14 Q. Are you given any benefits?</p> <p>15 A. No.</p> <p>16 Q. How many hours a week do you work at the club?</p> <p>17 A. 4:00 to -- 4:00 to close on Thursday, Friday and</p> <p>18 Saturday and -- no. I said 8:30 till close on Monday --</p> <p>19 4:00 to close on Mondays and 8:30 till close on</p> <p>20 Thursday, Friday and Saturday. So whatever those hours</p> <p>21 add up to be.</p> <p>22 Q. Okay.</p> <p>23 A. And then of course, give or take, depending on</p> <p>24 how long it takes for me to do my closing duties. It's</p> <p>25 never really a set time, it's whenever you're done.</p> | <p style="text-align: right;">Page 16</p> <p>1 Q. Yes. Other than bartenders and floor manager is</p> <p>2 there other roles at the club, other than entertainers?</p> <p>3 A. There's a cook, other days, there's a barback, a</p> <p>4 DJ, a door person.</p> <p>5 Q. And are there waitresses?</p> <p>6 A. Oh, yeah. Waitresses, of course.</p> <p>7 Q. During the days and hours that you work, how</p> <p>8 often is Mike Armstrong at the club?</p> <p>9 A. He's rarely there. I mean, I -- I don't -- he</p> <p>10 comes in whenever he feels like it. He doesn't just --</p> <p>11 he pops in whenever. I don't really see him that often.</p> <p>12 Q. How about Peggy Armstrong?</p> <p>13 A. I rarely see her. By the time I get to work,</p> <p>14 she's usually gone already.</p> <p>15 Q. Do you know if she works during the day?</p> <p>16 A. I'm not sure. I'm sure -- I don't know. I mean,</p> <p>17 I've heard she does. I'm not there, so I don't really</p> <p>18 know.</p> <p>19 Q. Do you know what -- what role or what work Peggy</p> <p>20 performs for the club other than the --</p> <p>21 A. No, I don't. No, I don't.</p> <p>22 Q. And do you know what role, other than being the</p> <p>23 owner of the club, that Mike performs?</p> <p>24 A. No, I don't.</p> <p>25 Q. As a bartender, were you -- when you were first</p> |
| <p style="text-align: right;">Page 15</p> <p>1 Q. Are your closing duties different when you're a</p> <p>2 bartender versus when you're acting as a manager?</p> <p>3 A. Yes.</p> <p>4 Q. What are your closing duties as a manager?</p> <p>5 A. I have to, basically, make sure everybody's money</p> <p>6 is correct whether it comes to the bartenders and wait</p> <p>7 staff, I have to lock up the club, make sure everything</p> <p>8 is clean and done, I guess.</p> <p>9 Q. Who does the cleaning?</p> <p>10 A. Wait staff. I mean, it depends on what -- I</p> <p>11 mean, if you're a waitress, you have to clean the tables</p> <p>12 off and if you're a bartender, you have to clean the</p> <p>13 bar.</p> <p>14 Q. Is there anybody that comes in that -- that does,</p> <p>15 like, the vacuuming and the bathroom cleaning and stuff</p> <p>16 like that?</p> <p>17 A. Yeah. They come in before we open.</p> <p>18 Q. As far as you're aware, do any of the</p> <p>19 entertainers, do they have responsibility for cleaning</p> <p>20 any portion of the club?</p> <p>21 A. No.</p> <p>22 Q. Other than bartender and floor manager, like</p> <p>23 yourself, the two duties you have, are there other</p> <p>24 non-entertainer employees at the club?</p> <p>25 A. Are there other non-entertainers?</p> | <p style="text-align: right;">Page 17</p> <p>1 hired, were you required to sign any sort of employment</p> <p>2 agreement with Heartbreakers?</p> <p>3 A. I have some paperwork, I believe.</p> <p>4 Q. Do you know --</p> <p>5 A. Go ahead.</p> <p>6 Q. I didn't want to cut you off if you weren't</p> <p>7 finished?</p> <p>8 A. It was just paperwork.</p> <p>9 Q. Do you remember if it was something you signed?</p> <p>10 A. I had to sign a W-2, a W-2 form.</p> <p>11 Q. Okay.</p> <p>12 A. And you know, give my ID and stuff like that.</p> <p>13 Q. Okay. Do you remember if you signed any other</p> <p>14 agreement?</p> <p>15 MR. KING: Objection; form.</p> <p>16 THE WITNESS: I'm sure an employee form.</p> <p>17 It's been so long ago, I'd have -- I'd have to ask them.</p> <p>18 BY MS. MONTGOMERY:</p> <p>19 Q. Well, let me ask you this, when you started</p> <p>20 working as a manager, two or three years ago, did you</p> <p>21 have to sign any sort of additional form or fill out</p> <p>22 any --</p> <p>23 A. They update your paperwork and -- and your ID and</p> <p>24 everything and you sign -- sign, like, employee paper or</p> <p>25 something like that every now and then.</p> |

April 14, 2021

Page 18

1 Q. Okay. Let me show you what I'm going to mark as
 2 Exhibit 1. Give me a second. It takes a minute.
 3 Can you see that? I'm going to make it bigger.
 4 Are you able to read that?
 5 A. Yes. I can see that.
 6 MS. MONTGOMERY: I'm going to mark this as
 7 Exhibit 1. And it is Heartbreakers 134 through 136.
 8 (Exhibit 1, marked.)
 9 BY MS. MONTGOMERY:
 10 Q. Now, I'm not going to ask if you signed this
 11 exact document. But is this the type of document that
 12 -- that you would have to sign or fill out every --
 13 every once in a while, as you told us?
 14 A. It's possible. I don't -- I don't recall that
 15 particular sheet. Let me see.
 16 Q. I can -- I'll scroll down for you.
 17 A. I may have signed that when I first started. I'm
 18 not sure if that's the exact one but that's not the one
 19 I sign whenever -- when I'm updating my stuff. They
 20 just need a copy of your ID and make sure your still --
 21 your ID is not expired and all that. And like, my
 22 TABC stuff, it has to be updated too.
 23 Q. That's for your bartenders duties?
 24 A. Yes.
 25 Q. Great. This takes a little bit of time, so sorry

Page 19

1 for that, but I have to give it to our court reporter
 2 while I do it. I'm putting it in the chat.
 3 As a bartender, do you have to pay any sort of
 4 fees in order to work at the club?
 5 A. No.
 6 Q. As a bartender, does the club supply you with
 7 what outfit you have to wear, like a uniform?
 8 A. No, they don't.
 9 Q. Does the club supply -- as a manager, do you have
 10 to pay any fee to work at the club?
 11 A. No.
 12 Q. As a manager, does the club provide you with a
 13 uniform or what you have to wear?
 14 A. No.
 15 Q. Is there any rule about -- about what you have to
 16 wear; like, do you have to wear a suit or --
 17 A. Yes. As a manager, I have to wear a suit and tie
 18 and as a bartender, I have to wear a vest and slacks.
 19 Q. And do you have to purchase those items for
 20 yourself?
 21 A. Yes. They used to provide a vest but I get my
 22 own.
 23 Q. You said you worked as a bartender Thursday,
 24 Friday and Saturday nights; is that right?
 25 A. That's correct.

Page 20

1 Q. Did you set that schedule?
 2 A. No.
 3 Q. You said you worked as a manager on Mondays. Did
 4 you pick that night to work?
 5 A. No, I didn't.
 6 Q. Who told you those were the days you were to
 7 work?
 8 A. The manager offered it to me and I took it.
 9 Q. Who's the manager that offered it to you?
 10 A. Doug. And then who else was working then, when I
 11 first started? Doug was the one who started asking me
 12 about my bartending schedule. Then I talked to Whitey
 13 about my managing schedule, later on.
 14 Q. Does Whitey go by another name; what's his formal
 15 name?
 16 A. George.
 17 Q. Now, are you working as a manager on Mondays
 18 because that was the available opening?
 19 A. Yes.
 20 Q. They have managers that work the other days
 21 already?
 22 A. Yes.
 23 Q. If one of the managers leaves, would you, then,
 24 be able to work other days as a manager?
 25 A. It depends on my seniority compared to whoever

Page 21

1 left.
 2 Q. So if you were -- well, I guess if you were more
 3 senior than the person that left, would you get to work
 4 more days?
 5 A. I would assume. I would hope so.
 6 Q. Are there any special laws or ordinances that
 7 apply to Heartbreakers and entertainers that perform
 8 there because it's a adult entertainment club?
 9 A. What exactly do you mean? What -- what
 10 ordinances and what laws?
 11 Q. Laws that regulate adult entertainment clubs?
 12 MR. KING: And I'll just object to the form.
 13 Go ahead if you know.
 14 THE WITNESS: What was that?
 15 MR. KING: Go ahead and provide an answer.
 16 I just had to give an objection.
 17 THE WITNESS: Can you restate the question,
 18 please?
 19 BY MS. MONTGOMERY:
 20 Q. Sure. I'm asking if you know if there's any laws
 21 that apply to the club because it's an adult
 22 entertainment club?
 23 A. Well, any regular laws -- I mean, no -- you know,
 24 you can't -- you can't overdrink, you can't fight, you
 25 can't do -- any laws that are illegal, basically.

April 14, 2021

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| <p style="text-align: right;">Page 22</p> <p>1 Q. Well, let me ask this, are there any laws that</p> <p>2 apply to -- apply to Heartbreakers as opposed to just a</p> <p>3 regular bar?</p> <p>4 MR. KING: Objection; form.</p> <p>5 THE WITNESS: What? I'm sorry. What</p> <p>6 happened?</p> <p>7 BY MS. MONTGOMERY:</p> <p>8 Q. My question is, is there special laws that apply</p> <p>9 to Heartbreakers that don't apply to just a regular bar?</p> <p>10 A. I think all -- all just the regular laws just</p> <p>11 apply to everywhere.</p> <p>12 Q. Okay.</p> <p>13 A. I don't think we have any special laws.</p> <p>14 Q. Is there -- do the entertainers that perform at</p> <p>15 Heartbreakers take off any portion of their clothing?</p> <p>16 A. Sometimes they're topless, yes. And they usually</p> <p>17 have -- they can -- they have underwear on, you know.</p> <p>18 Q. Are there any rules about how much of their body</p> <p>19 has to be covered?</p> <p>20 A. No.</p> <p>21 Q. So they could be fully nude?</p> <p>22 A. Oh, well, yeah. I thought you meant if they had</p> <p>23 clothes on. No. They cannot be fully nude.</p> <p>24 Q. Well, that's the kind of laws that I'm asking</p> <p>25 about.</p> | <p style="text-align: right;">Page 24</p> <p>1 A. You're supposed to be two feet away from them.</p> <p>2 Q. As a manager working at the club, is that</p> <p>3 something that you have to enforce?</p> <p>4 A. When they're on stage, yes, I do. And whenever</p> <p>5 they're with another customer or whatever, they're not</p> <p>6 supposed to be real close to them. But I don't really</p> <p>7 -- you know -- I mean -- when they're -- how can I put</p> <p>8 it? When their on stage, supposed to have to have a</p> <p>9 two-foot rule or something like that, I believe. And</p> <p>10 when they're dancing, if they're, like, being lewd or</p> <p>11 something like that, then I would go and talk to them</p> <p>12 about that.</p> <p>13 Q. So as a manager, you would have to tell them, you</p> <p>14 know, that's against the law or you need --</p> <p>15 A. Right. If they're doing something against the</p> <p>16 law, I let them know.</p> <p>17 Q. What type of -- you said that there are certain</p> <p>18 -- some types of dancing or, I guess, movement that's</p> <p>19 also not allowed. What -- can you describe what that</p> <p>20 would be?</p> <p>21 A. What type of movement that's not allowed? Well,</p> <p>22 you can't be doing, like, prostitution-type movement.</p> <p>23 You know, you can't be doing that exact thing. Moving</p> <p>24 like that is one thing but actually doing it is illegal.</p> <p>25 So I'd have to tell them that they can't do that.</p> |
| <p style="text-align: right;">Page 23</p> <p>1 A. Okay. Well, then, in that case, yeah. That's --</p> <p>2 you can't be fully nude up in there. Sorry.</p> <p>3 Q. That's okay. I -- I knew we'd get there</p> <p>4 eventually.</p> <p>5 What other rules about the clothing that the</p> <p>6 dancers are allowed to wear apply, if you know them?</p> <p>7 A. They -- they can they can wear like</p> <p>8 underclothing.</p> <p>9 Q. Does there have to be any specific coverage of</p> <p>10 their body parts?</p> <p>11 A. They are -- you're not supposed to be able to see</p> <p>12 anything from the top -- like genital-type area.</p> <p>13 Q. Okay.</p> <p>14 A. You're not supposed to be able to see that.</p> <p>15 Q. When you're working as a manager, do you make</p> <p>16 sure that the entertainers that are performing</p> <p>17 conforming with those rules?</p> <p>18 MR. KING: Objection; form.</p> <p>19 THE WITNESS: They never actually don't -- I</p> <p>20 mean, there's -- I never had anybody be nude there or</p> <p>21 try to be nude there. So I never really had to tell</p> <p>22 anybody anything.</p> <p>23 BY MS. MONTGOMERY:</p> <p>24 Q. Are there any rules about physical contact</p> <p>25 between the entertainer and the patrons?</p> | <p style="text-align: right;">Page 25</p> <p>1 Q. I guess, my question is, is there any type of</p> <p>2 dancing, if they were up on stage and they were doing a</p> <p>3 dance, is there any type of dancing that they aren't</p> <p>4 allowed to perform that you would have to talk to the</p> <p>5 entertainer about?</p> <p>6 A. No. Unless they're swinging, like, trying to</p> <p>7 hurt somebody and kicking people or something like that,</p> <p>8 maybe, but besides that, no.</p> <p>9 Q. Have you ever had to tell a -- talk to an</p> <p>10 entertainer about how she was dancing?</p> <p>11 A. I haven't, no.</p> <p>12 Q. Do you know any other manager that has?</p> <p>13 A. Not really. I mean, I'm just really busy when</p> <p>14 I'm bartending. I've heard about people doing stuff but</p> <p>15 I haven't seen it, so.</p> <p>16 Q. What have you heard about?</p> <p>17 A. Well, I've heard about people swinging from</p> <p>18 lights and stuff, so -- I've never seen it, though.</p> <p>19 Q. And that would be something that the manager, at</p> <p>20 the time, would need to talk to the --</p> <p>21 A. I would hope he would say something.</p> <p>22 Q. But as a manager, you've never had to do it?</p> <p>23 A. No.</p> <p>24 Q. Do you know if the club could be punished if one</p> <p>25 of the entertainers is violating the -- the law or the</p> |

April 14, 2021

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| <p style="text-align: right;">Page 26</p> <p>1 rules?</p> <p>2 A. I don't know if they could. I would assume they</p> <p>3 could. I don't know, per se.</p> <p>4 Q. Has anyone ever taught you or told you about</p> <p>5 that?</p> <p>6 A. About somebody violating the laws? They told me</p> <p>7 I -- they're not -- about -- anything illegal is not</p> <p>8 accepted.</p> <p>9 Q. Right.</p> <p>10 A. Basically.</p> <p>11 Q. I guess my question is, did any -- when you were</p> <p>12 becoming a manager, I should say, did anybody teach you</p> <p>13 or tell you that it's important that the entertainers</p> <p>14 are complying with the law because the club may get in</p> <p>15 trouble?</p> <p>16 A. They said it's important that -- that they comply</p> <p>17 with the law. About the club getting in trouble, I</p> <p>18 mean, I guess, I would -- that's just common sense I</p> <p>19 would know that. You know, they didn't have to tell me</p> <p>20 that. And I would assume I would get in trouble more</p> <p>21 than the club would because I would be the guy on duty</p> <p>22 that's not doing my job, you know.</p> <p>23 Q. Understood. Is -- since you've worked at</p> <p>24 Heartbreakers, do you know if they have been issued any</p> <p>25 fines or violations by the City of Dickinson?</p> | <p style="text-align: right;">Page 28</p> <p>1 Q. They have to check customer IDs?</p> <p>2 A. Yes. And temperatures and all that stuff.</p> <p>3 Q. Is there a cover charge to enter the club?</p> <p>4 A. There is.</p> <p>5 Q. What's the cover charge?</p> <p>6 A. \$9.</p> <p>7 Q. And that's any time of day?</p> <p>8 A. It's just a set fee, yes.</p> <p>9 Q. Do you know if there's any food or beverage</p> <p>10 purchase minimum for patrons who enter the club?</p> <p>11 A. There used to be, but I haven't seen them really</p> <p>12 enforce that. So --</p> <p>13 Q. We could --</p> <p>14 A. Because, now, you -- they just -- I don't know.</p> <p>15 I used to -- I use to see that they said it was two</p> <p>16 drink minimum, whether it was alcoholic or nonalcoholic,</p> <p>17 but it's not like that right now.</p> <p>18 Q. Is that because of COVID?</p> <p>19 A. I don't know. They weren't even doing that</p> <p>20 before COVID, to be honest with you.</p> <p>21 Q. Does the club serve alcohol and food?</p> <p>22 A. Yes.</p> <p>23 Q. Is the cover charge that's paid by the patrons,</p> <p>24 is that given to the entertainers?</p> <p>25 A. No. That's given to the door guy.</p> |
| <p style="text-align: right;">Page 27</p> <p>1 A. No, I don't know.</p> <p>2 Q. And to be clear, is Heartbreakers located in</p> <p>3 Dickinson, Texas?</p> <p>4 A. Yes.</p> <p>5 Q. What's the address of the club?</p> <p>6 A. I probably should know that but I don't. I know</p> <p>7 it's, like, something-hundred go freeway or something</p> <p>8 like that.</p> <p>9 Q. Is -- is the club -- are there any days that the</p> <p>10 club is open where there are no entertainers performing?</p> <p>11 A. Yeah. Like, on Mondays sometimes. But they</p> <p>12 eventually come in. But I've never seen it to where</p> <p>13 there were no entertainers at all.</p> <p>14 Q. Okay. Is there any part of the building where</p> <p>15 you can't see adult entertainers -- well, let me scratch</p> <p>16 that. Let me re-ask it a different way.</p> <p>17 Is there any part of the club where patrons can</p> <p>18 go that you cannot see adult entertainers?</p> <p>19 A. No. There's -- there's a VIP room but you can</p> <p>20 still see.</p> <p>21 Q. You said that there's a door person?</p> <p>22 A. Yes.</p> <p>23 Q. And what does the door person have to do?</p> <p>24 A. Collect money from patrons that come into the</p> <p>25 club and make sure that they're of age to be in there.</p> | <p style="text-align: right;">Page 29</p> <p>1 Q. Well, I know the door guy collects it. I guess</p> <p>2 my question is, like, at the end of the night, do the</p> <p>3 entertainers get to take home the cover charge that's</p> <p>4 charged by Heartbreakers?</p> <p>5 A. I've never seen that done before.</p> <p>6 Q. The club would keep the money then?</p> <p>7 A. Yeah. I would say assume so.</p> <p>8 Q. And is that part of your -- when you're doing</p> <p>9 your closing duties as a manager, do you have to track</p> <p>10 to make sure that you have -- the door person has -- has</p> <p>11 all of the cover charges charged?</p> <p>12 A. I don't have to count it. I just collect it so</p> <p>13 that -- and I put it inside our safe.</p> <p>14 Q. Do you know who's in charge of -- of accounting</p> <p>15 or keeping of the finances at the club?</p> <p>16 A. I just put it in the safe and it's done for me</p> <p>17 whenever I get -- when I come back the next time.</p> <p>18 Q. All right. You don't have to do any -- input any</p> <p>19 financial numbers, like, into a spreadsheet or anything</p> <p>20 at the end of the night, right?</p> <p>21 A. No.</p> <p>22 Q. Does the door person -- is there -- scratch that.</p> <p>23 Is there a capacity maximum for the club?</p> <p>24 A. There is. I don't know what is it is but we</p> <p>25 never reach it.</p> |

April 14, 2021

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| <p style="text-align: right;">Page 30</p> <p>1 Q. Does the door --</p> <p>2 A. So.</p> <p>3 Q. Does the door person still count the number of</p> <p>4 patrons that come in, at any given time?</p> <p>5 A. I would assume so.</p> <p>6 Q. Is there more than one entrance or exit to the</p> <p>7 club?</p> <p>8 A. Yes. There's an entrance in the front and</p> <p>9 there's -- one, two -- three exit doors.</p> <p>10 Q. Do the entertainers enter through the same doors</p> <p>11 that the customers do?</p> <p>12 A. When they first come to work, yes.</p> <p>13 Q. Does the door person have to turn away customers</p> <p>14 that may be too inebriated or intoxicated to enter?</p> <p>15 A. Yes.</p> <p>16 Q. As a manager, do you ever have to ask -- well,</p> <p>17 yeah. I'll ask as a manager first.</p> <p>18 As a manager, do you ever have to ask patrons to</p> <p>19 leave or exit the --</p> <p>20 A. I have to -- yes. I have to -- if I feel like</p> <p>21 they're drinking too much, and I have to cut them off,</p> <p>22 just like I would as a bartender, and tell them that</p> <p>23 they've had enough to drink and that's it.</p> <p>24 Q. As a bartender, would you -- would you have to</p> <p>25 tell the manager that -- to have the customer exit or</p> | <p style="text-align: right;">Page 32</p> <p>1 A. I'm sure they have. I don't -- I haven't seen</p> <p>2 any promotions when I -- since I've been there.</p> <p>3 Q. Okay. Have you been there when they had, like, a</p> <p>4 special event, like, say, a Christmas party or something</p> <p>5 like that?</p> <p>6 A. They had a Christmas party but I really wasn't</p> <p>7 there when I -- since I -- I mean, I've heard about them</p> <p>8 having some but, like I said, I haven't been there for</p> <p>9 that.</p> <p>10 Q. Okay. Does the club have a sign that's not on</p> <p>11 the building, like a freeway sign?</p> <p>12 A. Yeah. They have, like, a sign in radio sign.</p> <p>13 Q. Do you, as a manager or bartender, do you have to</p> <p>14 ever post anything on social media for the club?</p> <p>15 A. No. I don't even have social media.</p> <p>16 Q. Do you know if the club maintains a website?</p> <p>17 A. They said they do. Well, not "they" but some</p> <p>18 people have said that they have a web page or whatever.</p> <p>19 Q. But it's not something that you ever have any</p> <p>20 interaction with?</p> <p>21 A. No.</p> <p>22 Q. Do you know if any of the entertainers do?</p> <p>23 A. I don't know.</p> <p>24 Q. Do you know if there's any type of advertising</p> <p>25 that the club does?</p> |
| <p style="text-align: right;">Page 31</p> <p>1 would you cut them off and --</p> <p>2 A. Yeah. I can cut them off whether I'm a manager</p> <p>3 or bartender. If I just feel someone is getting too</p> <p>4 intoxicated, then just -- by -- you know, when I take my</p> <p>5 TBC class, that's what they try to teach me, I can do</p> <p>6 that, you know. And in the club, I do that. If</p> <p>7 someone's too -- getting too drunk then I just cut them</p> <p>8 off.</p> <p>9 Q. As a manager, what other responsibilities do you</p> <p>10 have? We've gone through your closing duties and we've</p> <p>11 talked about how you may have to ask intoxicated</p> <p>12 customers to leave. What other duties do you have as a</p> <p>13 manager?</p> <p>14 A. Any complaints that someone has, I have to deal</p> <p>15 with that. Or you know, if someone calls about</p> <p>16 something that happened, if they lost their credit card</p> <p>17 or their ID or -- you know, things of that nature. And</p> <p>18 then I have to do, like, liquor orders and cigar orders</p> <p>19 and inventory, stuff like that.</p> <p>20 Q. The club supplies the liquor?</p> <p>21 A. We buy it. We buy it from Specs. But, yeah,</p> <p>22 they buy it.</p> <p>23 Q. And they buy the cigars too?</p> <p>24 A. Yes.</p> <p>25 Q. Does the club ever run promotions?</p> | <p style="text-align: right;">Page 33</p> <p>1 A. I haven't seen any. Of course, except for on the</p> <p>2 little sign-in radio, they advertise about -- you know,</p> <p>3 the sign above the -- next to the club, they advertise,</p> <p>4 like, you know, they have, like, free pool tables and</p> <p>5 stuff like that, of that nature.</p> <p>6 Q. I was going to say, does the club ever have,</p> <p>7 like, drink specials or anything like that, that they</p> <p>8 would advertise?</p> <p>9 A. Well, like happy hours. I didn't know you meant</p> <p>10 something like that. They have a happy hour from, what</p> <p>11 is it now, 4:00 until 8 o'clock, I believe.</p> <p>12 Q. And I'm guessing the drinks are discounted during</p> <p>13 happy hour?</p> <p>14 A. Correct.</p> <p>15 Q. Is that to entice more patrons into the club?</p> <p>16 A. I would think so.</p> <p>17 Q. Does the club have stages on which the</p> <p>18 entertainers perform?</p> <p>19 A. Yes.</p> <p>20 Q. Are there poles on the stages.</p> <p>21 A. Yes, there are.</p> <p>22 Q. How many stages are there?</p> <p>23 A. One, two -- four.</p> <p>24 Q. Are they all in the same area?</p> <p>25 A. The club is in two sections and there's three</p> |

April 14, 2021

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| <p style="text-align: right;">Page 34</p> <p>1 stages on one section and a fourth one on the pool side.</p> <p>2 Q. So if I understand correctly, there's a side that</p> <p>3 has three -- I guess, the bar, three stages, and some</p> <p>4 tables and chairs; is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. And then there's another side of the club that</p> <p>7 has more pool tables and it only has one stage for an</p> <p>8 entertainer to perform; is that correct?</p> <p>9 A. Yes, it is.</p> <p>10 Q. Is there a bar on both areas?</p> <p>11 A. There is a bar on both sides but we only utilize</p> <p>12 the bar on the -- on the third -- the three stage side.</p> <p>13 We don't have enough business to open up the other side</p> <p>14 right now.</p> <p>15 Q. Is that due to COVID or was that going on before</p> <p>16 COVID?</p> <p>17 A. Well, even before COVID, we -- it was only opened</p> <p>18 up for, like, three nights a -- two night a week -- two</p> <p>19 or three nights a week instead of the whole week because</p> <p>20 there wasn't enough people going over there.</p> <p>21 Q. That's the pool side that wasn't open, correct?</p> <p>22 A. Yes.</p> <p>23 Q. The DJ, is the DJ located on the three stage</p> <p>24 side?</p> <p>25 A. Yes.</p> | <p style="text-align: right;">Page 36</p> <p>1 A. Yes.</p> <p>2 Q. And that same goes for alcohol?</p> <p>3 A. Yes.</p> <p>4 Q. Are the entertainers, are they allowed to serve</p> <p>5 any food or beverage?</p> <p>6 A. No. They have waitresses for that --</p> <p>7 Q. Are they --</p> <p>8 A. -- and bartenders.</p> <p>9 Q. Sorry. If the entertainer is over the age of 21,</p> <p>10 are they allowed to have any alcoholic beverage while</p> <p>11 they're on duty?</p> <p>12 A. Yes.</p> <p>13 Q. Is there any rule about the entertainer having</p> <p>14 too many alcoholic beverages?</p> <p>15 A. Just like anyone else, if they're getting too</p> <p>16 intoxicated, they have to be cut off.</p> <p>17 Q. And as -- if you were working as a manager, then,</p> <p>18 was that something you would have to do?</p> <p>19 A. Yeah, with everybody.</p> <p>20 Q. Have you ever had to do that while you were a</p> <p>21 manager?</p> <p>22 A. Yes.</p> <p>23 Q. For -- I guess to be clear, have you ever had to</p> <p>24 cut off an entertainer?</p> <p>25 A. No. I've had to cut off customers but never an</p> |
| <p style="text-align: right;">Page 35</p> <p>1 Q. As a manager, do you have the right to hire other</p> <p>2 employees, like a waitress?</p> <p>3 A. I could. I never have, though.</p> <p>4 Q. Do you have the right to fire any employees?</p> <p>5 A. If it's, like, a -- a person who's on the</p> <p>6 schedule, I could, if they've done something, I guess,</p> <p>7 worth being fired for, but I usually don't do that. I</p> <p>8 usually talk with someone else before I would do that.</p> <p>9 Q. Who would you talk with?</p> <p>10 A. Either another manager or the -- the general</p> <p>11 manager or whatever.</p> <p>12 Q. Who's the general manager?</p> <p>13 A. Wade.</p> <p>14 Q. Do the entertainers get to keep any portion of</p> <p>15 what -- what the patrons pay for food?</p> <p>16 A. What the patrons pay for food?</p> <p>17 Q. Yeah.</p> <p>18 A. No.</p> <p>19 Q. Is any of that given to the entertainers?</p> <p>20 A. No. That's -- that's club money, I guess. I</p> <p>21 mean, it's like buying a drink or food, it goes to the</p> <p>22 waitress or a bartender would take the money and that's</p> <p>23 part of your register you have to turn in at the end of</p> <p>24 the night.</p> <p>25 Q. And that's turned in to the club's safe, correct?</p> | <p style="text-align: right;">Page 37</p> <p>1 entertainer. I don't have a lot of entertainers that</p> <p>2 even work on my shift. So.</p> <p>3 Q. How many are -- well, when you say that, on your</p> <p>4 Monday shift as a manager?</p> <p>5 A. Yes.</p> <p>6 Q. So how many entertainers would you say, on</p> <p>7 average, work for your shift on Monday?</p> <p>8 A. Six. I started off with six and then some of</p> <p>9 them leave. So it'd goes from six and it's fluctuates</p> <p>10 from there.</p> <p>11 Q. The --</p> <p>12 A. That's on a decent night, actually, too.</p> <p>13 Q. I'm sorry?</p> <p>14 A. I'm just saying I start off with six.</p> <p>15 Q. Okay. The -- is it the same six that -- that</p> <p>16 tend to work on Monday with you?</p> <p>17 A. It varies. I have some girls that -- some of</p> <p>18 them come back every Monday, some of them don't. It's</p> <p>19 not a set schedule, so they come and go as they please.</p> <p>20 Q. If -- is there any requirement that an</p> <p>21 entertainer, in order to be able to work on the weekend,</p> <p>22 has to work one of the slow days like; Monday, Tuesday</p> <p>23 or Wednesday?</p> <p>24 A. No.</p> <p>25 Q. Is there any requirement that a entertainer stay</p> |

April 14, 2021

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| <p style="text-align: right;">Page 38</p> <p>1 for the entire shift?</p> <p>2 A. No.</p> <p>3 Q. If an entertainer shows up and wants to work,</p> <p>4 does she have to perform on the stage?</p> <p>5 A. If she has a reason why she can't, then she</p> <p>6 doesn't have to.</p> <p>7 Q. Okay.</p> <p>8 A. But I mean, I usually ask. I never had to have,</p> <p>9 like -- never had to ask anybody because all the ones</p> <p>10 that work on my shift usually go on stage.</p> <p>11 Q. What would be the reason -- what would be an</p> <p>12 acceptable reason for an entertainer to not work on the</p> <p>13 stage?</p> <p>14 A. Well, I've seen it before where there's a girl</p> <p>15 hurt her ankle and she said it was kind of rough on her</p> <p>16 ankle to go on stage and stuff like that.</p> <p>17 Q. Okay.</p> <p>18 A. Or if, like -- you know, one girl had broken her</p> <p>19 finger and she couldn't really grab a pole or whatever</p> <p>20 with her finger, like that, so she didn't have to go on</p> <p>21 stage.</p> <p>22 Q. If they're physically able, is there any sort of</p> <p>23 stage rotation, since there's three stages?</p> <p>24 A. Well, whenever an entertainer comes in, usually,</p> <p>25 the first one that comes in will be the first one that</p> | <p style="text-align: right;">Page 40</p> <p>1 like, CD, or set up her own iPod or something, right?</p> <p>2 A. I guess she could but she doesn't need to.</p> <p>3 Q. Okay.</p> <p>4 MS. MONTGOMERY: Hold on. We lost your</p> <p>5 counsel.</p> <p>6 Let's go off the record for just a minute.</p> <p>7 THE COURT REPORTER: Off the record at 10:53</p> <p>8 a.m.</p> <p>9 (Off the record.)</p> <p>10 THE COURT REPORTER: We are back on the</p> <p>11 record. The time is 10:55 a.m.</p> <p>12 BY MS. MONTGOMERY:</p> <p>13 Q. Mr. Arceneaux, does the club provide any lighting</p> <p>14 while the entertainers are performing on stage?</p> <p>15 A. Yeah. They have their own -- they have lights.</p> <p>16 Q. They have, like -- I guess, as opposed to just</p> <p>17 the regular lighting that a patron or something would</p> <p>18 see if they were sitting at the table or, like,</p> <p>19 spotlights or colorful lights that would come on when a</p> <p>20 -- when an entertainer is performing?</p> <p>21 A. Yes, there is.</p> <p>22 Q. Who controls those?</p> <p>23 A. I guess the DJ. They just a set light. They</p> <p>24 just put them on and then they run all night.</p> <p>25 Q. Does it focus on the three different stages in</p> |
| <p style="text-align: right;">Page 39</p> <p>1 could go on stage if she wanted to and then so on and so</p> <p>2 forth, after that.</p> <p>3 Q. Is there a rotation that, like, the DJ keeps so</p> <p>4 they know the order?</p> <p>5 A. Yeah. Like, the first-come-first-serve-type</p> <p>6 deal, whoever is first, you know, that -- that same</p> <p>7 thing.</p> <p>8 Q. Does the DJ have to, like, actually keep a list</p> <p>9 of them?</p> <p>10 A. Well, just for him to know who's in the club,</p> <p>11 yeah.</p> <p>12 Q. As does he, like -- well, he or she -- does the</p> <p>13 DJ call the entertainers to the stage?</p> <p>14 A. Yeah.</p> <p>15 Q. And so they'd be called to the stage kind of in</p> <p>16 the order that they arrived at the club?</p> <p>17 A. Correct.</p> <p>18 Q. Do the entertainers pick the songs that they</p> <p>19 perform to?</p> <p>20 A. That's usually up to the DJs and entertainers. I</p> <p>21 really don't know about that.</p> <p>22 Q. But the club provides both the music and the DJ,</p> <p>23 right?</p> <p>24 A. Right.</p> <p>25 Q. The entertainer doesn't have to bring her own,</p> | <p style="text-align: right;">Page 41</p> <p>1 the room?</p> <p>2 A. Yes.</p> <p>3 Q. Does it -- do you know if any entertainer can</p> <p>4 change the way the lights work for her performance?</p> <p>5 A. I'm sorry? What? No. I don't -- the lights are</p> <p>6 just set as far as I know.</p> <p>7 Q. But it's something that the DJ deals with, right?</p> <p>8 A. It's the computers are set like that, you know.</p> <p>9 Q. Have you ever -- as a manager of the club, have</p> <p>10 you ever been there when a new entertainer came to the</p> <p>11 club and wanted to perform?</p> <p>12 A. Not as a manager.</p> <p>13 Q. Have you -- have you, as a bartender, seen that?</p> <p>14 A. I've seen -- I've seen -- I see girls that I</p> <p>15 don't recognize when I was bartending but I haven't seen</p> <p>16 a new entertainer when I've been the manager.</p> <p>17 Q. Do you know what the process is for a new</p> <p>18 entertainer to start performing at the club?</p> <p>19 A. Not really.</p> <p>20 Q. Do you know any of the documentation or paperwork</p> <p>21 that a new --</p> <p>22 A. I know -- I know about the paperwork. I just --</p> <p>23 I hand them a package but I haven't had to do that, so.</p> <p>24 Q. You know you're supposed to but you haven't had</p> <p>25 to actually do it?</p> |

April 14, 2021

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| <p style="text-align: right;">Page 42</p> <p>1 A. Right. If I hire somebody.</p> <p>2 Q. And I want to be clear that we're talking about</p> <p>3 an entertainer?</p> <p>4 A. Yeah. Okay.</p> <p>5 Q. So you would have to hand them a package of</p> <p>6 paperwork?</p> <p>7 A. Yeah. There's paperwork for them to sign. And</p> <p>8 they have to pass a background check, like anybody else,</p> <p>9 stuff like that.</p> <p>10 Q. Do they have to audition?</p> <p>11 A. I don't think so. I never had -- heard about</p> <p>12 anybody auditioning.</p> <p>13 Q. Do you know if the -- there's a requirement that</p> <p>14 they have prior adult entertainment experience?</p> <p>15 A. Never heard that either.</p> <p>16 Q. Do you know of any entertainers that performed at</p> <p>17 Heartbreaker and that was the first place that they had</p> <p>18 ever done adult entertainment?</p> <p>19 A. No. I never ask.</p> <p>20 Q. You don't know one way or the other?</p> <p>21 A. I -- yeah. That never came up as a question for</p> <p>22 me to even ask them.</p> <p>23 Q. Do you know if there's any educational</p> <p>24 requirement to work as an entertainer at Heartbreakers?</p> <p>25 A. I don't know.</p> | <p style="text-align: right;">Page 44</p> <p>1 Q. Is there any -- as far as you know, as a manager</p> <p>2 at the club, is there any set amount paid to</p> <p>3 entertainers?</p> <p>4 A. Set amount paid to entertainers?</p> <p>5 Q. Yeah.</p> <p>6 A. No.</p> <p>7 Q. Like, say, if an entertainer performed five</p> <p>8 private dances, would the club pay that entertainer a</p> <p>9 certain amount of money for those five dances?</p> <p>10 A. The club doesn't. It's usually, the customer</p> <p>11 that does.</p> <p>12 Q. The club wouldn't, though?</p> <p>13 A. No.</p> <p>14 Q. Do the entertainers have to pay a fee in order to</p> <p>15 perform at the club?</p> <p>16 A. They have a floor fee that they pay.</p> <p>17 Q. Is the floor fee something that the club keeps?</p> <p>18 A. Yeah. It's turned in to the cashier, I believe.</p> <p>19 Q. Is the cashier someone like the door person?</p> <p>20 A. Yeah. But it's usually a person that -- that's</p> <p>21 in the dressing room.</p> <p>22 Q. Okay.</p> <p>23 A. And, I guess, they take care of that.</p> <p>24 Q. So, like, is there a house mom?</p> <p>25 A. Yeah. I guess you could call it cashier, house</p> |
| <p style="text-align: right;">Page 43</p> <p>1 Q. If there is, you as a manager, weren't told about</p> <p>2 any sort of educational requirement?</p> <p>3 A. I didn't hear about any educational, no, in any</p> <p>4 background.</p> <p>5 Q. Is there any sort of look that's required?</p> <p>6 A. No.</p> <p>7 Q. Do you -- have you ever heard of any girl that</p> <p>8 was not allowed to perform that wanted to perform there?</p> <p>9 A. That was already working there?</p> <p>10 Q. No. A new entertainer?</p> <p>11 A. If she doesn't work there, I haven't -- no. I</p> <p>12 haven't heard of anybody trying to perform that doesn't</p> <p>13 work there.</p> <p>14 Q. Let me say it this way. Has anybody been turned</p> <p>15 away that wanted to work there that had never worked</p> <p>16 there before, as an entertainer?</p> <p>17 A. I don't know. I haven't -- I've never done that,</p> <p>18 so.</p> <p>19 Q. Is there any amount that's paid, by the club, to</p> <p>20 the entertainers?</p> <p>21 A. I've never seen any -- the club pay any</p> <p>22 entertainers, unless they're trading in some --</p> <p>23 something, you know, like some money from a customer</p> <p>24 that -- you know, so that, but I haven't seen the club</p> <p>25 pay them any money.</p> | <p style="text-align: right;">Page 45</p> <p>1 mom, something like that.</p> <p>2 Q. The cashier is someone that works in the dressing</p> <p>3 room area?</p> <p>4 A. Yes.</p> <p>5 Q. What does that person do other than accept the</p> <p>6 floor fee?</p> <p>7 A. They usually have girl stuff that they need.</p> <p>8 Q. Oh.</p> <p>9 A. Or entertainer's stuff or, like, perfumes and</p> <p>10 stuff like that.</p> <p>11 Q. Well, that's -- yeah. So they might have stuff</p> <p>12 like -- they might have, like, deodorant or shampoo or</p> <p>13 things like that?</p> <p>14 A. Yeah. Lady items.</p> <p>15 Q. Okay. Would they have any, like, makeup or other</p> <p>16 accessories for the entertainers?</p> <p>17 A. I guess. I don't -- I don't go back there and</p> <p>18 check it out but they probably would, I would assume. I</p> <p>19 don't know.</p> <p>20 Q. Have you ever been back to the dressing room</p> <p>21 where the entertainers get ready?</p> <p>22 A. Yes.</p> <p>23 Q. And did you see any sort of items like we've</p> <p>24 described?</p> <p>25 A. I saw -- I saw perfume and you know, like,</p> |

April 14, 2021

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| <p style="text-align: right;">Page 46</p> <p>1 feminine stuff or whatever.</p> <p>2 Q. Okay. And that's something that the cashier, who</p> <p>3 works back in the dressing room area, handles, correct?</p> <p>4 A. Yes.</p> <p>5 Q. Is the cashier an employee of the club?</p> <p>6 A. Yes.</p> <p>7 Q. Who's the cashier that currently works at the</p> <p>8 club?</p> <p>9 A. Jen and Brandy.</p> <p>10 Q. How long have they worked there?</p> <p>11 A. I don't know.</p> <p>12 Q. Had they worked there a lot since you've been a</p> <p>13 manager?</p> <p>14 A. Yes.</p> <p>15 Q. Have they worked there longer than that?</p> <p>16 A. I don't really know.</p> <p>17 Q. Do you know of any other cashiers that have</p> <p>18 worked there since you've been working there?</p> <p>19 A. No.</p> <p>20 Q. The floor fees, is that something that all</p> <p>21 entertainers have to pay?</p> <p>22 A. Yes.</p> <p>23 Q. Is the floor fee different depending on what type</p> <p>24 of -- time of day the entertainer is working?</p> <p>25 A. Yes, it is.</p> | <p style="text-align: right;">Page 48</p> <p>1 to get the money from -- that the cashier collects at</p> <p>2 the end of the evening?</p> <p>3 A. Yes.</p> <p>4 Q. Other than the floor fee, is there any other fees</p> <p>5 or monies that the cashier, that works in the dressing</p> <p>6 room, has to collect?</p> <p>7 A. I don't know. I don't think so.</p> <p>8 Q. Is there a charge for private dance or a lap</p> <p>9 dance, if you will?</p> <p>10 A. It's usually \$20, that's like a -- what most</p> <p>11 people pay everywhere.</p> <p>12 Q. And so if an entertainer had a customer who</p> <p>13 wanted a private dance or a lap dance, is there a person</p> <p>14 at the club she has to interact with to get the money or</p> <p>15 she just do it directly with the patron?</p> <p>16 A. She is with the customer.</p> <p>17 Q. If the customer wants to pay -- well, scratch</p> <p>18 that.</p> <p>19 Is there any person at the club that tracks the</p> <p>20 number of -- of private dances or lap dances that each</p> <p>21 entertainer does?</p> <p>22 A. No. That's between the customer and them.</p> <p>23 Q. Are there different areas of the club where the</p> <p>24 prices are different? For example, if -- does a dancer</p> <p>25 -- is a dancer allowed to give a private dance on the</p> |
| <p style="text-align: right;">Page 47</p> <p>1 Q. Is the floor fee changing -- if you work during</p> <p>2 the day and then stay all the way through the night. So</p> <p>3 let's say you started work at 12:00 p.m. and you want to</p> <p>4 work all the way through, till 2:00 a.m. And let's take</p> <p>5 away COVID hours. So if an entertainer wanted to start</p> <p>6 at noon and go all the way till 2:00 a.m., would she</p> <p>7 have to pay more than one floor fee?</p> <p>8 A. I don't think -- I don't know. I've -- I've</p> <p>9 never seen that happen. I mean, because since I've been</p> <p>10 a manager, if somebody got there at 12:00 and then they</p> <p>11 wanted to leave, they just left. If they wanted to</p> <p>12 stay, they just stayed, as far as I know.</p> <p>13 Q. Does the -- is the amount of the floor fee</p> <p>14 negotiable with entertainers?</p> <p>15 A. It's usually set by the -- like I said, what time</p> <p>16 you get there. It starts off at a certain price and the</p> <p>17 later you get there, I guess the more they increase it a</p> <p>18 little bit.</p> <p>19 Q. And is that something that's set by the club, the</p> <p>20 amount?</p> <p>21 A. Yes -- I don't know.</p> <p>22 Q. Is not something that you, as the manager, have</p> <p>23 anything to do with?</p> <p>24 A. No.</p> <p>25 Q. As part of your closing duties, do you also have</p> | <p style="text-align: right;">Page 49</p> <p>1 floor that has all the three stages?</p> <p>2 A. Yes.</p> <p>3 Q. If she took a customer to, like, a VIP area, is</p> <p>4 the price for the dance different?</p> <p>5 A. The price for the dance is the same everywhere,</p> <p>6 unless they -- they talk about something different.</p> <p>7 That's upon them.</p> <p>8 Q. The dancer is allowed to negotiate their price</p> <p>9 up?</p> <p>10 A. If she wants to.</p> <p>11 Q. Is there any portion of the private dance that's</p> <p>12 given to the club?</p> <p>13 A. No.</p> <p>14 Q. If -- is there any -- well, does the club have a</p> <p>15 separate VIP area?</p> <p>16 A. Yeah. The sectioned off area with VIP -- yeah.</p> <p>17 I mean, yeah.</p> <p>18 Q. Other than the -- other than the main stage area</p> <p>19 and the VIP area, is there any other area, like private</p> <p>20 rooms or some places --</p> <p>21 A. There's no private rooms. They have, like, a</p> <p>22 curtained area and then a VIP area and that's it.</p> <p>23 Q. Is the VIP area and the curtain area, is that</p> <p>24 upstairs?</p> <p>25 A. The VIP area is upstairs. The curtain is</p> |

April 14, 2021

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| <p style="text-align: right;">Page 50</p> <p>1 downstairs.</p> <p>2 Q. Are there any different fees or amounts charged</p> <p>3 to go into the curtain area, other than just the \$20</p> <p>4 private dance?</p> <p>5 A. Yeah. If you go in the VIP, it's 30 and at the</p> <p>6 curtain area is 20.</p> <p>7 Q. And is that the \$30 for the VIP area, is that an</p> <p>8 amount that's paid to the club, like a cover charge?</p> <p>9 A. Yeah. The customer usually has to pay that with</p> <p>10 their waitress or at the bar.</p> <p>11 Q. And is it the same in the curtain area, is that,</p> <p>12 like, a \$20 cover charge?</p> <p>13 A. It's is a \$20 fee, yeah. The entertainer has to</p> <p>14 do that and she can go there all night long.</p> <p>15 Q. So the entertainer pays the \$20 fee?</p> <p>16 A. The entertainer, she doesn't normally pay it.</p> <p>17 Usually, a customer pays it but she has to -- she has to</p> <p>18 pay that first before she can use that area the entire</p> <p>19 night.</p> <p>20 Q. So the -- but that amount, that \$20 in the</p> <p>21 curtain area, that's paid to the club, right?</p> <p>22 A. Yes.</p> <p>23 Q. And then the entertainer may perform private</p> <p>24 dances or spend time and that she would get to keep; is</p> <p>25 that correct?</p> | <p style="text-align: right;">Page 52</p> <p>1 purchased. If they buy a drink or the VIP thing, that</p> <p>2 goes in the card.</p> <p>3 Q. And then if -- if a customer purchased, you know,</p> <p>4 private dance with the entertainer and that was put on</p> <p>5 the credit card, how does the entertainer get the money?</p> <p>6 A. They give them, like, a little -- it's like a</p> <p>7 little voucher or a little -- it's called a Dance</p> <p>8 Dollar.</p> <p>9 Q. And then the Dance Dollars, would that --</p> <p>10 whatever the entertainer collects, would that, then, be</p> <p>11 exchanged at the end of the night with the manager?</p> <p>12 A. No. The cashier.</p> <p>13 Q. And that's the same person that's in, like, the</p> <p>14 dressing room area?</p> <p>15 A. Yes.</p> <p>16 Q. Is there any portion -- if a dancer is paid in</p> <p>17 Dance Dollars, is there any portion of that Dance</p> <p>18 Dollars that's kept by the club?</p> <p>19 A. They have a \$5 fee per dance. So if -- and when</p> <p>20 a guy would, normally, give a dancer \$20, he'd -- if --</p> <p>21 they charge 25.</p> <p>22 Q. So they increase the price of the private dance</p> <p>23 to accommodate the extra \$5 fee if they're using a</p> <p>24 credit card?</p> <p>25 A. They do what now?</p> |
| <p style="text-align: right;">Page 51</p> <p>1 A. Yes. Same thing with the VIP area, once that --</p> <p>2 she can go up there and all the money she makes is hers.</p> <p>3 Q. Is there -- other than, like, a private dance or</p> <p>4 a lap dance, the \$20 for that, is there other fees that</p> <p>5 are customarily charged by the entertainers? For</p> <p>6 example, I know some clubs have, like, for 30 minutes in</p> <p>7 the VIP area, there's \$100 or something like that?</p> <p>8 A. I don't -- we don't have that.</p> <p>9 Q. Only the \$20 for the private dance?</p> <p>10 A. Yes.</p> <p>11 Q. Is there -- does the club write down or track</p> <p>12 which entertainers are going up to the VIP area?</p> <p>13 A. I don't think so. I know I don't.</p> <p>14 Q. Other than, I guess, the payment that the</p> <p>15 entertainer makes?</p> <p>16 A. Well, the payment that the customer pays to get</p> <p>17 up there, that's all they would pay --</p> <p>18 Q. And there's --</p> <p>19 A. -- right there.</p> <p>20 Q. And there would be nothing that says this</p> <p>21 customer paid to entertain with, you know, Stacy?</p> <p>22 A. No. No.</p> <p>23 Q. What about if a customer wants to use a credit</p> <p>24 card; how does that work?</p> <p>25 A. Their credit card gets charged for whatever they</p> | <p style="text-align: right;">Page 53</p> <p>1 Q. The -- the dancer or the entertainer would charge</p> <p>2 an extra \$5 for a private dance if the customer is using</p> <p>3 a credit card?</p> <p>4 A. No. It goes on -- it's \$20 but the customer gets</p> <p>5 charged \$5.</p> <p>6 Q. Okay.</p> <p>7 A. I'm not really sure with that -- we'll just --</p> <p>8 okay.</p> <p>9 Q. Is there any tip -- tip sharing policies at the</p> <p>10 club?</p> <p>11 A. Tip sharing policy?</p> <p>12 Q. Yes.</p> <p>13 A. Only when you're a bartender, you're working with</p> <p>14 another bartender, you share tips on that. So you --</p> <p>15 there's two bartenders, you split the tips evenly.</p> <p>16 Q. Anybody else that -- like waitresses or anybody</p> <p>17 else that split or share tips?</p> <p>18 A. No.</p> <p>19 Q. Do any of the entertainers tip the other</p> <p>20 employees at the club?</p> <p>21 A. If they want to.</p> <p>22 Q. In your experience working at Heartbreakers, is</p> <p>23 that a normal or customary behavior for an entertainer?</p> <p>24 A. Not likely. They might tip the bar a couple of</p> <p>25 bucks if they get a drink or something like that.</p> |

April 14, 2021

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| <p style="text-align: right;">Page 54</p> <p>1 Q. Are there any fines or penalties if an 2 entertainer doesn't perform on the stage when you expect 3 that she is? 4 A. No. But if she is supposed to go on stage and 5 she doesn't want to go on stage, then she can usually 6 skip if she wants. 7 Q. Are the entertainers fined or penalized for any 8 other behavior? 9 A. No. 10 Q. Is there any rules about what costumes or 11 clothing the entertainer needs to wear? 12 A. No. 13 Q. And let me give you an example. If the 14 entertainer wants to go on stage and she's wearing, 15 like, baggy jeans and a sweatshirt, can she do that? 16 A. I mean, she could. I've never seen that done 17 before but if she wanted to I guess she could. 18 Q. Is that something that you as -- if were a 19 manager, would you speak to the entertainer about that? 20 A. I'd just kind of look at her and probably laugh a 21 little bit. I wouldn't tell her anything. It's up to 22 her. I've never seen that before. 23 Q. What about are the entertainers required to wear 24 any type of shoes? 25 A. No. But they usually wear -- most of them wear</p> | <p style="text-align: right;">Page 56</p> <p>1 Q. Do you know of any other manager that has? 2 A. No. 3 Q. If the club is having a busy night, would you 4 expect the entertainers to stay? 5 A. That's up to them, if they want to stay. I would 6 think they'd want to get money but they don't have to. 7 Q. If the club had, you know, enough patrons but not 8 enough entertainers to entertain the patrons, would you 9 call or reach out to any of the entertainers say, come 10 up here, there's extra customers? 11 A. No. 12 Q. Do you know who handles the accounting or the 13 books for the club? 14 A. I'm not really sure. 15 Q. Other than the lawsuit we described at the 16 beginning, the arm wrestling incident have you had to 17 testify in any other lawsuits against Heartbreakers? 18 A. No. 19 Q. Are you aware of any prior lawsuits against 20 Heartbreakers? 21 A. No. 22 Q. And specifically by any entertainers? 23 A. No. 24 Q. When you transitioned from -- well, not from but 25 into the manage --- management role, did anyone tell you</p> |
| <p style="text-align: right;">Page 55</p> <p>1 high heels and stuff like that. But they're not 2 required to. 3 Q. So they can be barefoot? 4 A. No. I -- I've never -- I've seen a barefooted 5 person. I would recommend no one go in the club 6 barefoot, period. 7 Q. Is that something you might speak to them about, 8 if they were walking around barefoot? 9 A. Well, I would speak to anybody about walking 10 around barefoot, not just them. I mean, even customers 11 and anybody. It's gross. 12 Q. Is there any requirement that they -- the 13 entertainers have -- are wearing makeup when they 14 perform? 15 A. No. 16 Q. Is there any requirements about their hair? 17 A. No. 18 Q. Is there any requirements that they shave their 19 legs or any other areas? 20 A. Wow. No. There's no requirement. I would think 21 you'd want to, though. Wow. 22 Q. Have you ever had to refuse an entertainer from 23 performing at the club because her outfit was 24 inappropriate? 25 A. No.</p> | <p style="text-align: right;">Page 57</p> <p>1 any -- anything about prior lawsuits against 2 Heartbreakers from entertainers? 3 A. No, they didn't. 4 Q. Have you ever heard of the Fair Labor Standards 5 Act? 6 A. No. 7 Q. Do you know if somewhere in the club there is any 8 posters up related to employment, such as employee 9 rights, anything like that? 10 A. There's posters up there. To be honest with you, 11 I just haven't -- I haven't read them in detail, I 12 guess. But they have posters up for a lot of stuff. 13 For alcohol, you know, consumption, for employment 14 stuff, for, you know, trafficking and stuff like that. 15 There's a lot of posters up. 16 Q. Let me -- just a second. Let me show you what 17 I'm going to mark as Exhibit 2. 18 (Exhibit 2 marked.) 19 MS. MONTGOMERY: And this is Heartbreakers 20 137 through 148. 21 THE WITNESS: Oh, that's a lot of stuff. 22 Okay. 23 BY MS. MONTGOMERY: 24 Q. It's several things, yes. I'm going to go 25 through it with you.</p> |

April 14, 2021

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| <p style="text-align: right;">Page 58</p> <p>1 All right. Can you see that first one?</p> <p>2 A. "Do not climb on the main stage and use the</p> <p>3 stairs," yes.</p> <p>4 Q. Is that a sign -- it's signed, here at the</p> <p>5 bottom, by Whitey, correct?</p> <p>6 A. Uh-huh. Yes.</p> <p>7 Q. Is Whitey the general manager?</p> <p>8 A. Yes.</p> <p>9 Q. Is this something that's currently up in the</p> <p>10 club?</p> <p>11 A. I haven't seen that but it makes sense. I mean,</p> <p>12 if -- you don't want anybody to fall off stage, so I</p> <p>13 guess it'd be cool to use the stairs.</p> <p>14 Q. Have you -- have you seen this sign up in the</p> <p>15 club?</p> <p>16 A. I guess I've seen it. I mean, I haven't seen it</p> <p>17 up lately.</p> <p>18 Q. Do you know where it was up?</p> <p>19 A. Not really.</p> <p>20 Q. Sir, what was your answer?</p> <p>21 A. I said, no. I don't know where it was, no.</p> <p>22 Q. That's fine. Let's look at this sign.</p> <p>23 A. I haven't seen that one but I would assume that</p> <p>24 was probably in the dressing room because it says sprays</p> <p>25 and deodorant and stuff.</p> | <p style="text-align: right;">Page 60</p> <p>1 A. If they want to be at -- like, for example, it</p> <p>2 says that -- where it says 6:00 to 7:00 and the number</p> <p>3 says 27. If they're ready, they can't just come in and</p> <p>4 just say, hey, I'm here and then just, you know, go to</p> <p>5 the bar and, you know, not be ready until like 12:00 or</p> <p>6 something. If they're ready at that time, then that's</p> <p>7 the kind of money that they would have to pay.</p> <p>8 Q. And when you say "ready," you mean performance</p> <p>9 ready to either get on stage or perform?</p> <p>10 A. Right. You can't just be sitting on your phone</p> <p>11 and eating and say you're ready, you know.</p> <p>12 Q. And then it says to "get your tip-out." What</p> <p>13 does that mean?</p> <p>14 A. I don't know what that means.</p> <p>15 Q. Okay.</p> <p>16 A. On the floor and get your tip-out (reading the</p> <p>17 exhibit). Yeah.</p> <p>18 Q. Okay. Here's another sign that says talking</p> <p>19 about merchandise. Is there some sort of store?</p> <p>20 A. They have, like, a boutique but that's not really</p> <p>21 part of Heartbreakers, that's, like, somebody else.</p> <p>22 Q. Do you know who owns it?</p> <p>23 A. No.</p> <p>24 Q. Do you know who runs it?</p> <p>25 A. No, I don't.</p> |
| <p style="text-align: right;">Page 59</p> <p>1 Q. And Jen and Brandy are the cashier, right?</p> <p>2 A. Yes.</p> <p>3 Q. Do you know any -- and this one is also signed by</p> <p>4 Whitey, who's the general manager, right?</p> <p>5 A. Yes.</p> <p>6 Q. In your duties as a manager, have you put up any</p> <p>7 signs about any rules like this?</p> <p>8 A. No.</p> <p>9 Q. This is page three of Exhibit 2.</p> <p>10 Okay. Does this --</p> <p>11 A. That's the floor fee schedule.</p> <p>12 Q. So this is the schedule of fees that a</p> <p>13 entertainer has to pay when she's coming to perform at</p> <p>14 Heartbreakers, right?</p> <p>15 A. Right.</p> <p>16 Q. Right here it says, "If you stay past after 8:00</p> <p>17 p.m. you'll be charged an additional \$27." Is that</p> <p>18 accurate?</p> <p>19 A. I guess it is. I've never even read that to be</p> <p>20 honest with you.</p> <p>21 Q. Okay.</p> <p>22 A. It says it.</p> <p>23 Q. This, at the bottom says, "You must be ready and</p> <p>24 on the floor." What does that mean? That they have to</p> <p>25 be ready and on the floor by this -- by, like, say --</p> | <p style="text-align: right;">Page 61</p> <p>1 Q. Does it have entertainers' clothing options?</p> <p>2 A. Yes.</p> <p>3 Q. Is there anything else sold in the boutique?</p> <p>4 A. I really don't go in there, so I don't really</p> <p>5 know.</p> <p>6 Q. Where's it located?</p> <p>7 A. In the dressing room. Or locker room, what you</p> <p>8 said? Whatever.</p> <p>9 Q. Okay. Okay. This sign says, "Facetime and</p> <p>10 Snapchat in the dressing room and club is not allowed.</p> <p>11 It is against the law." And this one is signed by</p> <p>12 Whitey, the general manager, correct?</p> <p>13 A. Yeah. That's because you don't want anyone being</p> <p>14 recorded when they're getting dressed or anything like</p> <p>15 that. You know, that's -- I can totally understand</p> <p>16 that.</p> <p>17 Q. Is that something that you've had to enforce as a</p> <p>18 manager?</p> <p>19 A. Yeah. I've had to tell a few patrons that they</p> <p>20 can't film people on stage. And I checked their phones</p> <p>21 and told them they had to erase whatever they had on</p> <p>22 there.</p> <p>23 Q. Now, do you know if Snapchat is recording?</p> <p>24 A. I'm sorry, what?</p> <p>25 Q. Do you -- have you ever used Snapchat?</p> |

April 14, 2021

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| <p style="text-align: right;">Page 62</p> <p>1 A. No.</p> <p>2 Q. Do you know if it's recording when you use it?</p> <p>3 A. I don't -- I don't know. I'm just -- I'm going</p> <p>4 by what people tell me.</p> <p>5 Q. Do you know --</p> <p>6 A. If someone's recording --</p> <p>7 Q. I understand that. That's why I'm asking what</p> <p>8 you know about Snapchat. Is --</p> <p>9 A. I don't have Snapchat or Facetime or all that.</p> <p>10 Q. Okay. Facetime is not a service that you would</p> <p>11 normally use?</p> <p>12 A. No.</p> <p>13 Q. Let me show you page six. This one says -- well,</p> <p>14 hold on. This last one with Facetime and Snapchat, do</p> <p>15 you know where that's posted in the club?</p> <p>16 A. No, I don't.</p> <p>17 Q. Do you know if it's currently posted in the club?</p> <p>18 A. I haven't seen that.</p> <p>19 Q. Okay.</p> <p>20 A. I understand it but I haven't seen it. Wow.</p> <p>21 Q. Yeah. Is this one -- this one is talking about</p> <p>22 that the entertainers should not slap each other on the</p> <p>23 bottom, correct?</p> <p>24 A. Yes. Says, "Customers or entertainers shouldn't</p> <p>25 slap your bottom."</p> | <p style="text-align: right;">Page 64</p> <p>1 actually recognize that.</p> <p>2 Q. Where is this hallway the waitresses -- like,</p> <p>3 where is it located in the club that you're talking</p> <p>4 about?</p> <p>5 A. When you're going to the offices in the club,</p> <p>6 like, where the waitresses and checkout office and</p> <p>7 everything is.</p> <p>8 Q. Is it near where the dressing room is?</p> <p>9 A. No. It's -- well, I mean, it's just across the</p> <p>10 way, but --</p> <p>11 Q. So if you go -- if you enter the club from the</p> <p>12 front, where is -- where are the offices located?</p> <p>13 A. Past the bar.</p> <p>14 Q. Like the offices where --</p> <p>15 A. Or past the bar.</p> <p>16 Q. Okay. So you would have to go through the --</p> <p>17 where the three stages are, go past the bar and that's</p> <p>18 where --</p> <p>19 A. Right.</p> <p>20 Q. -- the office would be?</p> <p>21 A. Yes.</p> <p>22 Q. Is this also where this hallway, that you're</p> <p>23 describing where the waitresses hang out, is that where</p> <p>24 that would be?</p> <p>25 A. Yes.</p> |
| <p style="text-align: right;">Page 63</p> <p>1 Q. And again, it's signed by Whitey, who's the</p> <p>2 general manager?</p> <p>3 A. Yes.</p> <p>4 Q. Is that a rule you've had to enforce as a</p> <p>5 manager?</p> <p>6 A. I've never had to.</p> <p>7 Q. Have you ever seen any -- had any patrons who</p> <p>8 were getting handsy, so to speak?</p> <p>9 A. No. Not on my shift, at least. Wow.</p> <p>10 Q. Do you -- have you seen this, page six? Has this</p> <p>11 been -- have you seen this posted in the club?</p> <p>12 A. I haven't seen that one posted in the club but --</p> <p>13 wow. Okay.</p> <p>14 Q. All right. This is a poster about the IRS. Is</p> <p>15 this a poster that you've seen up in the club?</p> <p>16 A. No.</p> <p>17 Q. Okay. This is a poster about the Uniform</p> <p>18 Services Employment and Reemployment Rights Act. Have</p> <p>19 you seen this poster up in the club anywhere?</p> <p>20 A. This could be one of the ones that's up -- I've</p> <p>21 seen some posters but I'm not sure if that's it or not.</p> <p>22 Q. Where -- where have you seen the poster posted?</p> <p>23 A. I've seen posters, like, in the hall, like, where</p> <p>24 the waitresses go and everything like that. But I don't</p> <p>25 know. I've -- I've not paid enough attention to them to</p> | <p style="text-align: right;">Page 65</p> <p>1 Q. Okay.</p> <p>2 A. It might have one of those -- I mean, don't know</p> <p>3 -- I don't know if they have one of those in the -- what</p> <p>4 do you call it -- dressing room or not. I can't really</p> <p>5 tell where that is.</p> <p>6 Q. Where is the dressing room in relation to the</p> <p>7 offices?</p> <p>8 A. Across, by the DJ booth.</p> <p>9 Q. Okay. Have you seen this poster, the Texas 2017</p> <p>10 Federal and State Employment postings? Have you seen</p> <p>11 this?</p> <p>12 A. Right. That -- that could be one of the ones.</p> <p>13 Q. Have you seen this poster, Restaurant and Bar</p> <p>14 Texas Identity Theft Notice? Bate Stamp --</p> <p>15 A. All these -- like there's a bunch of -- like I</p> <p>16 said, there's a bunch of posters hanging up that I, you</p> <p>17 know, I've glanced over but I can't, like, really tell</p> <p>18 you if that's the exact one that's there or not because</p> <p>19 I haven't really memorized them, I would say.</p> <p>20 Q. Okay. All right. Let me see if there's one at</p> <p>21 the end -- okay. We're going back to one from Whitey</p> <p>22 here, on the last page, page 12 of Exhibit 2.</p> <p>23 This one says, "It is your job to get Dance</p> <p>24 Dollars from the customers, not the waitress. Whitey."</p> <p>25 A. I never seen that poster up before.</p> |

April 14, 2021

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| <p style="text-align: right;">Page 66</p> <p>1 Q. Is it -- do the entertainers generally get the</p> <p>2 dollar -- the Dance Dollars from the customer?</p> <p>3 A. Well, yeah. Because the waitress has to give the</p> <p>4 Dance Dollars to the customer and the customer gives the</p> <p>5 money to the wait -- to the dancer.</p> <p>6 Q. So it's like, for lack of a better word --</p> <p>7 A. Like, for example, a waitress can't just go get</p> <p>8 money off of somebody's card and then go give it to</p> <p>9 somebody else. You know, that has to be signed and, you</p> <p>10 know, there's paperwork that's involved. The customer</p> <p>11 has to agree to it, then he has to sign off on it. And</p> <p>12 then you give him or her their money and then they</p> <p>13 decide whether -- who to give it to after that.</p> <p>14 Q. So the customer would -- would interact with the</p> <p>15 waitress and say, "I'd like \$100 in Dance Dollars" --</p> <p>16 A. Correct.</p> <p>17 Q. -- and then what would happen? What would the</p> <p>18 waitress have to do?</p> <p>19 A. Then she'd have to get him to sign and make sure</p> <p>20 that his card went through to get that. Then she'd give</p> <p>21 him the money or her the money, whoever.</p> <p>22 Q. And then the customer, then, decides whether he</p> <p>23 will -- he or she will tip the entertainer or pay for</p> <p>24 private dances, correct?</p> <p>25 A. Yes.</p> | <p style="text-align: right;">Page 68</p> <p>1 Q. Anything else?</p> <p>2 A. They have to be legible and, you know, everything</p> <p>3 has to match. Like, if their ID says something, it</p> <p>4 can't be something else. You know what I mean?</p> <p>5 Q. Do you have to explain the terms of any of the</p> <p>6 information that they're signing?</p> <p>7 A. Usually, it's just right there in black and</p> <p>8 white. I don't really explain much, you know. If I'm</p> <p>9 hiring somebody, I just -- I tell them what, you know,</p> <p>10 was going on, depending on who it is, if it's a waitress</p> <p>11 or a bartender. But like I said, I've never really had</p> <p>12 to hire anybody like that.</p> <p>13 Q. And I'm going to limit it specifically to</p> <p>14 entertainers. Have you been trained or taught anything</p> <p>15 about the terms?</p> <p>16 A. Well, they have to, like -- when they go to the</p> <p>17 back, you have to, like, look at the forms and like I</p> <p>18 said, you know, make sure that the IDs and everything</p> <p>19 match and if they want to be -- like, whether they</p> <p>20 have -- like, W-2 forms, they said make sure -- you got</p> <p>21 to, like, let them know about those or the 1099 ones,</p> <p>22 whichever ones they want to do, either as, like --</p> <p>23 either an employee or a contract employee -- whatever --</p> <p>24 or contract worker or employee.</p> <p>25 Q. Do you have to explain that difference to them?</p> |
| <p style="text-align: right;">Page 67</p> <p>1 Q. What if the -- what if the customer doesn't use</p> <p>2 all of his Dance Dollars? Are they still on the hook</p> <p>3 for the full amount?</p> <p>4 A. They can use them another time, yeah.</p> <p>5 Q. Okay. The packet of information that you would</p> <p>6 have to give an entertainer -- a new entertainer, is</p> <p>7 that located anywhere in the club? Like, are there</p> <p>8 little packets that are, like, this is what you're --</p> <p>9 A. It's inside the cashier's office.</p> <p>10 Q. It's inside where?</p> <p>11 A. The cashier's office.</p> <p>12 Q. Is that the one that's in the dressing room?</p> <p>13 A. Yes.</p> <p>14 Q. Does the cashier actually go through the</p> <p>15 documents with them or is that something that you, as a</p> <p>16 manager, would have to do?</p> <p>17 A. I guess, the cashier could go with them -- I</p> <p>18 mean, either person, I guess, whoever would be talking</p> <p>19 to the entertainer.</p> <p>20 Q. So --</p> <p>21 A. If they needed help with them.</p> <p>22 Q. So as a -- as a manager, have you been trained or</p> <p>23 taught anything about the documents that you're handing</p> <p>24 to a new entertainer?</p> <p>25 A. They have to be legible.</p> | <p style="text-align: right;">Page 69</p> <p>1 A. I usually tell them and if they have any</p> <p>2 questions then, yeah, I would be glad to explain it to</p> <p>3 them.</p> <p>4 Q. Okay. What would you explain to someone that</p> <p>5 said, you know, I don't know what you mean?</p> <p>6 A. Well, a W-2 is like me, like an employee that,</p> <p>7 you know, is on the clock. If you're on -- like, a</p> <p>8 contract worker, then -- I try to tell them that then</p> <p>9 you can pick your own schedule and you don't have to</p> <p>10 have anybody tell you when and -- when you have to come</p> <p>11 into work and what time you have to leave, stuff like</p> <p>12 that.</p> <p>13 Q. Anything else you would tell them?</p> <p>14 A. If they ask me. I mean, I don't just tell them</p> <p>15 everything unless -- I mean, because there is just so</p> <p>16 much I can -- I know. You know what I'm saying? I just</p> <p>17 tell them if they have any --</p> <p>18 Q. And I'm just --</p> <p>19 A. -- questions to ask me.</p> <p>20 Q. And I'm just trying to figure out what you know</p> <p>21 or what you might tell the dancer or entertainer that's</p> <p>22 signing up to perform for the first time at the club. I</p> <p>23 understand you would tell them one of the differences is</p> <p>24 you're -- if you're like you, a W-2 employee, you'd be</p> <p>25 on the clock; is that correct?</p> |

Carl Arceneaux
April 14, 2021

EXHIBIT F

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| <p style="text-align: right;">Page 70</p> <p>1 A. Yeah. Yes.</p> <p>2 Q. And then if they were independent contractor,</p> <p>3 they wouldn't have a set schedule, correct?</p> <p>4 A. Correct.</p> <p>5 Q. Is there any other difference that you might just</p> <p>6 volunteer or tell someone who asked about it?</p> <p>7 A. I mean, if -- if they come from a club where it's</p> <p>8 completely, like, nude, I'd explain that to them. But,</p> <p>9 you know, unless, like I said, if they had any</p> <p>10 questions, I really wouldn't just tell them stuff</p> <p>11 because --</p> <p>12 Q. Would you -- would you discuss any of the rules</p> <p>13 that we've just read in the signs? Would you discuss</p> <p>14 any of that information with them?</p> <p>15 A. Well, the rules about, like, you know, being on</p> <p>16 your phone and everything or recording stuff, I just let</p> <p>17 them know that, you know, you're not allowed to record</p> <p>18 people when they're getting dressed. But usually, I</p> <p>19 would think that would be common sense. You know, if</p> <p>20 someone is getting dressed, why would you want to record</p> <p>21 them? That's, like, illegal, isn't it? So that's what</p> <p>22 I tell them, items of that nature.</p> <p>23 Q. Do you show them around the club?</p> <p>24 A. Yes.</p> <p>25 Q. And would you show them, like, how the stage</p> | <p style="text-align: right;">Page 72</p> <p>1 you kind of have to, every once in a while, provide your</p> <p>2 information again. I think you said, maybe a -- your</p> <p>3 W-2?</p> <p>4 A. Valid ID and -- yeah. Make sure your TABC is</p> <p>5 updated because you're not allowed to be a bartender if</p> <p>6 you don't have your TABC updated.</p> <p>7 Q. Do the entertainers also have to provide, you</p> <p>8 know, every so often --</p> <p>9 A. No. Just the employees.</p> <p>10 Q. Okay. All right.</p> <p>11 MS. MONTGOMERY: I'll reserve the rest of my</p> <p>12 questions and pass the witness.</p> <p>13 EXAMINATION</p> <p>14 BY MR. KING:</p> <p>15 Q. Mr. Arceneaux, have you ever seen any dancers</p> <p>16 show up before paying the house fee, just to, like, take</p> <p>17 a look at what kind of crowds are at the club?</p> <p>18 A. Yeah. They've come in just to -- sometimes just</p> <p>19 to say hi to other people and -- or, you know, check it</p> <p>20 out.</p> <p>21 Q. So a dancer can come and just -- she can just</p> <p>22 patronize the club like any other customer, too, right?</p> <p>23 A. Oh, yeah.</p> <p>24 Q. Do any dances ever scope out how many customers</p> <p>25 are there before deciding whether to perform?</p> |
| <p style="text-align: right;">Page 71</p> <p>1 rotation worked?</p> <p>2 A. I'd show them where the stages are. I mean, I</p> <p>3 don't really say about the rotation and all that because</p> <p>4 I've never really had to, you know? It's just one of</p> <p>5 those things, I guess.</p> <p>6 Q. Are the -- the packages that are given to the</p> <p>7 entertainers, are those terms negotiable? Is there any</p> <p>8 entertainer that's, you know, crossed some out and said</p> <p>9 I'm not doing that but I'll still perform here?</p> <p>10 A. I've never seen that before.</p> <p>11 Q. And before they're allowed to perform in the</p> <p>12 club, would they have to sign and fill out the</p> <p>13 entertainer package information?</p> <p>14 A. Yes.</p> <p>15 Q. Did they have to provide, like, a valid ID and</p> <p>16 social security?</p> <p>17 A. Correct.</p> <p>18 Q. And then they'd also have to pass a background</p> <p>19 check, right?</p> <p>20 A. Yes.</p> <p>21 Q. Do you give them a copy?</p> <p>22 A. I haven't. They have, like, I guess, a sheet</p> <p>23 that they get. I've never had to give anybody any</p> <p>24 copies of anything.</p> <p>25 Q. Okay. And I know you told me, at the beginning,</p> | <p style="text-align: right;">Page 73</p> <p>1 A. Do they -- do they show up before with a</p> <p>2 customer, you said?</p> <p>3 Q. No. Do -- have you ever seen any dancers show up</p> <p>4 at the club just to look around before deciding whether</p> <p>5 to perform that night or day?</p> <p>6 A. Yeah. Yeah. They -- sometimes they show up and</p> <p>7 decide whether they want to work. Usually, if it's busy</p> <p>8 or not, they can be able to decide whether they want to</p> <p>9 stay or not.</p> <p>10 Q. Do they have to pay a house fee in that instance?</p> <p>11 A. No.</p> <p>12 Q. When do they have to pay a house fee?</p> <p>13 A. When they decide to actually check in with the DJ</p> <p>14 and he puts -- you know, he lets them know that they're</p> <p>15 checked in or whatever.</p> <p>16 MR. KING: I think that's it. I'll reserve</p> <p>17 the rest of our questions too.</p> <p>18 MS. MONTGOMERY: I think we're finished.</p> <p>19 MR. KING: All right.</p> <p>20 THE WITNESS: Okay. Cool.</p> <p>21 THE COURT REPORTER: I just have a quick</p> <p>22 question. Are we doing a read and sign?</p> <p>23 MR. KING: Yeah.</p> <p>24 THE COURT REPORTER: Okay. And is anybody</p> <p>25 requesting a copy of the transcript?</p> |

Carl Arceneaux
April 14, 2021

EXHIBIT F

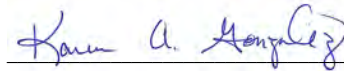
| <p style="text-align: right;">Page 74</p> <p>1 MS. MONTGOMERY: Yes.</p> <p>2 MR. KING: Yes.</p> <p>3 THE COURT REPORTER: Perfect.</p> <p>4 Okay. And the time is 11:38. This</p> <p>5 concludes our deposition today.</p> <p>6 (End of proceedings.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">Page 76</p> <p>1 I, CARL ARCENEUX, have read the foregoing</p> <p>2 deposition and hereby affix my signature that same is</p> <p>3 true and correct, except as noted above.</p> <p>4</p> <p>5 _____</p> <p>6 CARL ARCENEUX</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 _____ No changes made _____ Amendment Sheet(s) attached</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p style="text-align: right;">Page 75</p> <p>1 CHANGES AND SIGNATURE</p> <p>2 WITNESS NAME: CARL ARCENEUX</p> <p>3 DATE OF DEPOSITION: APRIL 14, 2021</p> <p>4</p> <p>5 Please indicate changes on this sheet of paper,</p> <p>6 giving the change, page number, line number, and reason</p> <p>7 for the change. Please sign each page of changes.</p> <p>8</p> <table border="1"> <thead> <tr> <th>PAGE/LINE</th> <th>CORRECTION</th> <th>REASON FOR CHANGE</th> </tr> </thead> <tbody> <tr><td>9</td><td></td><td></td></tr> <tr><td>10</td><td></td><td></td></tr> <tr><td>11</td><td></td><td></td></tr> <tr><td>12</td><td></td><td></td></tr> <tr><td>13</td><td></td><td></td></tr> <tr><td>14</td><td></td><td></td></tr> <tr><td>15</td><td></td><td></td></tr> <tr><td>16</td><td></td><td></td></tr> <tr><td>17</td><td></td><td></td></tr> <tr><td>18</td><td></td><td></td></tr> <tr><td>19</td><td></td><td></td></tr> <tr><td>20</td><td></td><td></td></tr> <tr><td>21</td><td></td><td></td></tr> <tr><td>22</td><td></td><td></td></tr> <tr><td>23</td><td></td><td></td></tr> <tr><td>24</td><td></td><td></td></tr> <tr><td>25</td><td></td><td></td></tr> </tbody> </table> | PAGE/LINE | CORRECTION | REASON FOR CHANGE | 9 | | | 10 | | | 11 | | | 12 | | | 13 | | | 14 | | | 15 | | | 16 | | | 17 | | | 18 | | | 19 | | | 20 | | | 21 | | | 22 | | | 23 | | | 24 | | | 25 | | | <p style="text-align: right;">Page 77</p> <p>1 THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE SOUTHERN DISTRICT OF TEXAS</p> <p>3 GALVESTON DIVISION</p> <p>4 STACEY KIBODEAUX aka Case No.: 3:20-cv-00008</p> <p>5 ILLUSION, HAILEY CHAPMAN</p> <p>6 aka DAISY, JEAN JURY TRIAL DEMANDED</p> <p>7 HOFFMEISTER aka JOHNE and</p> <p>8 ROXANNE MURILLO aka \$</p> <p>9 UNIQUE/ROXANNE, \$</p> <p>10 individuals, \$</p> <p>11 Plaintiff, \$</p> <p>12 vs. \$</p> <p>13 A&D INTERESTS, INC. D/B/A \$</p> <p>14 HEARTBREAKERS GENTLEMAN'S \$</p> <p>15 CLUB, MIKE A. ARMSTRONG, \$</p> <p>16 PEGGY A. ARMSTRONG AND \$</p> <p>17 WHITEY DOE, INDIVIDUALS, \$</p> <p>18 Defendants. \$</p> <p>19 \$</p> <p>20</p> <p>21 REPORTER'S CERTIFICATION OF THE ORAL</p> <p>22 DEPOSITION OF CARL ARCENEUX</p> <p>23 April 14, 2021</p> <p>24</p> <p>25 I, Karen Aralhy Gonzalez, a Notary in and for the</p> <p>State of Texas, hereby certify to the following:</p> <p>That the witness, CARL ARCENEUX, was duly sworn by</p> <p>the officer and that the transcript of the oral</p> <p>deposition is a true record of the testimony given by</p> <p>the witness;</p> <p>That a copy of the certificate was served on all</p> <p>parties and/or the witness shown herein on</p> <p>_____.</p> <p>I further certify that pursuant to FRCP Rule</p> <p>30(f)(1) that the signature of the deponent:</p> |
| PAGE/LINE | CORRECTION | REASON FOR CHANGE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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Page 78

1 X was requested by the deponent or a party before
2 the completion of the deposition and that signature is
3 to be before any notary public and returned within 30
4 days from date of receipt of the transcript. If
5 returned, the attached Changes and Signature Page
6 contains any changes and the reasons therefor;
7 ___ was not requested by the deponent or a
8 party before the completion of the deposition.

9 I further certify that I am neither counsel for,
10 related to, nor employed by any of the parties or
11 attorneys in the action in which this proceeding was
12 taken, and further that I am not financially or
13 otherwise interested in the outcome of the action.

14 Certified to by me this 14th day of April, 2021.

15
16 
17

18 KAREN ARALHY GONZALEZ

19 Notary in and for the

State of Texas

Notary: 132644762

My Commission Expires:

August 26, 2024

21 US LEGAL

8144 Walnut Hill Lane

22 Suite 350

Dallas, Texas 75231

23 214-741-6001

214-741-6821 (FAX)

Firm Registration No. 343